

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

<p><u>IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001</u></p> <p>DiGiovanni, Louis; DiGiovanni, Cindy; Disogra, Marie; Ditoro, Doreen, as administrator of the Estate of Michael Ditoro deceased; Ditoro, Doreen, individually; Doktor, James; Dormarunno, Jean; Durante, Joseph; Edwards, Gurda; Elsasser, Jacqueline; Elsasser, Thomas J.; Engel, Melanie; Erskine-Hargrove, Carrie as administrator of the Estate of Rolando F. Erskine, deceased; Erskine-Hargrove, Carrie individually; Espinal, Anthony; Eugenio, Lucia; Everett, Joseph; Everett, Sylvia; Facey, Andre; Facey, Sophia; Falvey, Joanne; Farag, Salwa; Farmer, Melissa; Feliciano, Norberto; Feliciano, Evelyn; Ferguson, Dorrin; Ferrer, Rosa M.; Pozo, Eddie E.; Fezza, Judy; Figueroa, Carlos; Fox, Roberto; Franceschi, Luis; Francis, Barbara; Francis, Daphne; Frank, Neil A. Fuller, Ruby; Fuller, Donald; Furtado, Maria; Gallo, Dominick; Gallo, Caroline; Gamble, Ethel; Geiger, Kevin;</p>	<p>As relates to 03 MDL 1570 (GBD)(SN)</p> <p>Civil Docket Number:</p> <p>SHORT FORM COMPLAINT</p> <p>AND DEMAND FOR TRIAL BY JURY</p> <p>ECF CASE</p>
--	---

Geiger, Colleen; Giardino, Angelo; Giardino, Miriam; Gibbs, Purcell; Gionet, Joseph; Gozalez, Elsie; Gordon, June, as administrator of the Estate of Arthur Fenty, deceased; Gordon, June individually; Graves, James; Grayson, Anita; Griffin, Linda; Grogan, Anthony; Grogan, Dennis; Grossman, Hyman; Grossman, Arline; Guidice, Denise; Guinan, Laura; Hageko, Adnan; Alhalabialidelbi, Kinaz; Hall, Thomas; Hall, Mary; Harrington, Donna, as administrator of the Estate of Alan Harrington deceased; Harrington, Donna individually Harris, Priscilla; Harrison, Joyce; Hayes, Henry; Heisler, Mort; Heisler, Carol; Held, Catherine; Henderson, Dorrance; Hendricks, Amelia; Henry, Armando R.; Henry, Glendora; Hernandez, Aurea; Hernandez, Felix Jr; Hernandez, Anna; Hertz, Judith; Hinphy, Brian; Hinphy, Catherine; Hirsch, Marcia; Hirsch, William; Howard, Lawrence; Huggins, Anthony C.; Ingram, James; Ingram, Dorothy; Inguano, Concepcion Y; Jackson, Arwilda; Jedrezyk, Michael;	
--	--

<p>Jeffrey, Karen; Johnson, Michael; Johnson, Sybil; Joseph, Noel; Kaider, Matthew Jr.; Kelly, Thomas; King, Lloyd; Kinzelberg, Steven; Korzenko, Richard K.; Kowalski, Kathyann; Kwartowitz, Jan;</p>	
--	--

PLAINTIFFS

V.

**KINGDOM OF SAUDI ARABIA; SAUDI
HIGH COMMISSION FOR RELIEF OF
BOSNIA & HERZEGOVINA**

DEFENDANTS

SHORT FORM COMPLAINT AND DEMAND FOR TRIAL BY JURY

Plaintiff(s) file(s) this *Short Form Complaint and Demand for Trial by Jury* against Defendants named herein by and through the undersigned counsel. Plaintiff(s) incorporate(s) by reference specific allegations, as indicated below, of Plaintiff's *Consolidated Amended Complaint* as to the Kingdom of Saudi Arabia ("Kingdom" or "Saudi Arabia") and the Saudi High Commission for Relief for Bosnia & Herzegovina ("the SHC") and *Demand for Jury Trial in In Re: Terrorist Attacks on September 11, 2001, 03 MDL 1570* in the United States District Court for the Southern District of New York (hereinafter "the CAC"). Plaintiff(s) file(s) this *Short Form Complaint and Demand for Jury Trial* as permitted and approved by the Court's Order of May 3, 2017, ECF No. 3543.

VENUE

1. Venue in this district is proper pursuant to 28 U.S.C. §§ 1391(b)(2) and 1391(f)(1), as a substantial part of the events giving rise to the claims asserted herein occurred in this district. Venue is also proper in this district pursuant to 18 U.S.C. § 2334(a).

JURISDICTION

1. Jurisdiction, as asserted in the CAC, and further, jurisdiction within the *Short Form Complaint* is permitted upon and applicable to all defendants in this action:

- 28 U.S.C. § 1605(a)(5) (non-commercial tort exception)
 - 28 U.S.C. § 1605B (Justice Against Sponsored Terrorism Act)
 - Other: (set forth below the basis of any additional ground for jurisdiction and plead such in sufficient detail as per the FRCP):
-

CAUSE OF ACTION

3. Plaintiff(s) hereby adopts(s) and incorporate(s) by reference, the CAC as if set forth fully herein.

4. Furthermore, the following claims and allegations are asserted by Plaintiff(s) and are herein adopted by reference from the CAC:

- Aiding and Abetting and Conspiring with al Qaeda to Commit the September 11th Attacks Upon the United States in Violation of 18 U.S.C. § 2333(d) (JASTA)
- Aiding and Abetting and Conspiring with al Qaeda to Commit the September 11th Attacks Upon the United States in Violation of 18 U.S.C. § 2333(a)
- Committing Acts of International Terrorism in Violation of 18 U.S.C. § 2333
- Wrongful Death, as applicable to such a claim
- Survival

- Alien Tort Claims
 - Assault and Battery
 - Conspiracy
 - Aiding and Abetting
 - Intentional Infliction of Emotional Distress
 - Liability Pursuant to Restatement (Second) of Torts § 317 and Restatement (Third) of Agency § 7.05: Supervising Employees and Agents
 - Liability Pursuant to Restatement (Second) of Torts § 317 and Restatement (Third) of Agency § 7.05: Hiring Selecting, and Retaining Employees and Agents
 - 18 U.S.C. § 1962(a)-(d) – CIVIL RICO
 - Trespass
 - Putative Damages
- Plaintiff assert(s) the following additional theories and/or Causes of Action against the Defendants: _____

IDENTIFICATION OF THE PLAINTIFFS

5. The following allegations and information contained herein, is allege as to each individual who is bringing this claim, as indicated on Appendix 1 to this *Short Form Complaint*, and/or as to each decedent who was injured and who is now deceased, whose claim is brought by the Estate represented, and as to the survivors of the Estate, herein referred to as “Plaintiffs.”

- a. The citizenship/nationality of said Plaintiff is indicated at Appendix 1 to this Short Form Complaint.
- b. Said Plaintiff is entitled to recover damages on the causes of action set forth in this Complaint.
- c. As indicated at Appendix 1, said Plaintiff was injured as a result of the terrorist attacks of September 11, 2001; is the estate representative of someone who was injured as a result of the terrorist attacks of September 11, 2001 and who is now deceased, or is a survivor of someone who was injured as a result of the terrorist attack of September 11, 2001 and who is now deceased.
- d. For those Plaintiffs with injury claims, as indicated in Appendix 1, on or after September 11, 2001, said Plaintiff was present at the Pentagon and/or the World Trade Center site and/or its surroundings and/or lower Manhattan and/or at any area wherein he/she was exposed to toxins as a result of the terrorist attacks and was exposed to toxins from the attacks, and/or was otherwise injured, and/or as otherwise alleged: _____.
- e. As a direct, proximate and foreseeable result of Defendants' action or inactions, Plaintiff suffered bodily injury and/or death, and consequently economic and other losses, including but not limited to pain suffering, emotional distress, psychological injuries, and loss of enjoyment of life, and otherwise described in the CAC, and/or otherwise may be specified in subsequent pleadings and/or discovery proceedings, and/or as otherwise alleged herein: _____.
- f. The name, relationship to the injured 9/11 victim, residency, citizenship/nationality, and the general nature of the claim for each Plaintiff is listed on the attached Appendix 1, and is incorporated herein as allegations,

with all allegations of the within *Short Form Complaint* deemed alleged as to each plaintiff.

IDENTIFICATION OF THE DEFENDANTS

6. The following entities are Defendants herein:

- Kingdom of Saudi Arabia
- Saudi High Commission for Relief of Bosnia & Herzegovina

Plaintiffs' constituent case, if applicable, and this *Short Form Complaint* shall be deemed subject to any motion to dismiss the CAC or Answer to the CAC filed by Saudi Arabia or the SHC. By way of filing this *Short Form Complaint*, plaintiffs shall not be deemed to have adopted any class-action allegations set forth in the CAC or waived any right to object to class certification or opt out of any certified class. This *Short Form Complaint* also does not serve as a request for exclusion from any class that the Court may certify.

WHEREFORE, Plaintiff(s) pray(s) for relief and judgment against Defendants as set forth in the CAC as appropriate.

JURY DEMAND

Plaintiff(s) hereby demand(s) a trial by jury as to the claims in this action.

Dated: December 31, 2018

Respectfully Submitted,

Stephenie J. Lannigan

Stephenie J. Lannigan (SL3943)
Parker Waichman LLP
6 Harbor Park Drive
Port Washington, New York 11050
Tel: (516) 466-6500
Direct: (516) 723-4621
Fax: (516) 723-4721
Stephenie J. Lannigan
sbross@yourlawyer.com
Counsel for Plaintiff(s)

Defendants:

KINGDOM OF SAUDI ARABIA

c/o Michael K. Kellogg, Esq.
Kellogg, Hansen, Todd, Figel & Frederick,
P.L.L.C.

Attorneys for Kingdom of Saudi Arabia
1615 M Street N.W. Suite 400
Washington, DC 20036-3215
Tel#: 202-326-7900

**SAUDI HIGH COMMISSION FOR RELIEF
OF BOSNIA AND HERZEGOVINA**

c/o Roy T. Englert, Jr., Esq.
Robbins, Russell, Englert, Orseck, Untereiner &
Sauber, LLP
*Attorneys for Saudi High Commission for Relief of
Bosnia & Herzegovina*
1801 K Street N.W. Suite 411L
Washington, DC 20006
Tel#: 202-775-4503

See Appendix 1 Annexed

APPENDIX 1 TO THE SHORT FORM COMPLAINT DATED MAY 22, 2018

Each line below is deemed an allegation, incorporating the allegations, language and references within the *Short Form Complaint* to which Appendix is appended, and shall be referenced as Allegation 1 of Appendix 1 to the *Short Form Complaint*, Allegation 2 of Appendix 1 to the *Short Form Complaint*, etc.

	Plaintiffs Name in Alphabetical Order of Last Name of Injured 9/11 Victim	Relationship to injured 9/11 victim	State of Residency at Filing	Citizenship/ Nationality on 9/11/2001	General Nature of the Claim Asserted
1	DiGiovanni, Louis	Self, Spouse	NJ	US	Personal Injury
2	DiGiovanni, Cindy	Spouse	NJ	US	Loss of Consortium
3	Disogra, Marie	Self	NY	US	Personal Injury
4	Ditoro, Doreen, as administrator of the Estate of Michael Ditoro, deceased	PR/Spouse	NY	US	Wrongful Death
5	Ditoro, Dorren	Self	NY	US	Solatium
6	Doktor, James	Self	NY	US	Personal Injury
7	Dormarunno, Jean	Self	NJ	US	Personal Injury
8	Durante, Joseph	Self	NY	US	Personal Injury
9	Edwards, Gurda	Self	NY	US	Personal Injury
10	Elsasser, Jacqueline	Self	NY	US	Personal Injury
11	Elsasser, Thomas J.	Spouse	NY	US	Loss of Consortium
12	Engel, Melanie	Self	NY	US	Personal Injury
13	Erskine-Hargrove, Carrie as administrator of the Estate of Rolando F. Erskine, deceased	PR	NY	US	Wrongful Death

14	Erskine-Hargrove, Carrie	Self	NY	US	Solatium
15	Espinal, Anthony	Self	NY	US	Personal Injury
16	Eugenio, Lucia	Self	NY	US	Personal Injury
17	Everett, Joseph	Self	NY	US	Personal Injury
18	Everett, Sylvia	Spouse	NY	US	Loss of Consortium
19	Facey, Andre	Self	NY	US	Personal Injury
20	Facey, Sophia	Spouse	NY	US	Loss of Consortium
21	Falvey, Joanne	Self	NY	US	Personal Injury
22	Farag, Salwa	Self	NJ	US	Personal Injury
23	Farmer, Melissa	Self	NY	US	Personal Injury
24	Feliciano, Norberto	Self,	NY	US	Personal Injury
25	Feliciano, Evelyn	Spouse	NY	US	Loss of Consortium
26	Ferguson, Dorrin	Self	NY	US	Personal Injury
27	Ferrer, Rosa M.	Self	NY	US	Personal Injury
28	Pozo, Eddie E.	Spouse	NY	US	Loss Consortium
29	Fezza, Judy	Self	NY	US	Personal Injury
30	Figueroa, Carlos	Self	NY	US	Personal Injury
31	Fox, Roberto	Self	NY	US	Personal Injury
32	Franceschi, Luis	Self	NY	US	Personal Injury
33	Francis, Barbara	Self	NY	US	Personal Injury
34	Francis, Daphne	Self	NY	US	Personal Injury
35	Frank, Neil A.	Self	NY	US	Personal Injury
36	Fuller, Ruby	Self	NY	Us	Personal Injury
37	Fuller, Donald	Spouse	NY	US	Loss of Consortium
38	Furtado, Maria	Self	NY	US	Personal Injury
39	Gallo, Dominick	Self	NY	US	Personal Injury
40	Gallo, Caroline	Spouse	NY	US	Loss of Consortium
41	Gamble, Ethel	Self	NY	US	Personal Injury

42	Geiger, Kevin	Self	NJ	US	Personal Injury
43	Geiger, Colleen	Spouse	NJ	US	Loss of Consortium
44	Giardino, Angelo	Self	NY	US	Personal Injury
45	Giardino, Mirian	Spouse	NY	US	Loss of Consortium
46	Gibbs, Purcell	Self	NY	US	Personal Injury
47	Gionet, Joseph	Self	NY	US	Personal Injury
48	Gonzalez, Elsie	Self	NY	US	Personal Injury
49	Gordon-Fenty, June as Administrator of Estate of Arthur Fenty deceased	PR	NY	US	Wrongful Death
50	Gordon-Fenty, June	Self	NY	US	Solatium
51	Graves, James	Self	NY	US	Personal Injury
52	Grayson, Anita	Self	NY	US	Personal Injury
53	Griffin, Linda	Self	NY	US	Personal Injury
54	Grogan, Anthony	Self	NY	US	Personal Injury
55	Grogan, Dennis	Self	NY	US	Personal Injury
56	Grossman, Hyman	Self	NY	US	Personal Injury
57	Grossman, Arline	Spouse	NY	US	Loss of Consortium
58	Guidice, Densie	Self	NY	US	Personal Injury
59	Guinan, Laura	Self	NY	US	Personal Injury
60	Hageko, Adnan	Self	NY	US	Personal Injury
61	Alhalabialidelbi, Kinaz	Spouse	NY	US	Loss of Consortium
62	Hall, Thomas	Self	NY	US	Personal Injury
63	Hall, Mary	Spouse	NY	US	Loss of Consortium
64	Harrington, Donna, as administrator of the Estate of Alan Harrington, deceased	PR	NY	US	Wrongful Death

65	Harrington, Donna	Self	NY	US	Solatium
66	Harris, Priscilla	Self	NY	US	Personal Injury
67	Harrison, Joyce	Self	NY	US	Personal Injury
68	Hayes, Henry	Self	NY	US	Personal Injury
69	Heisler, Mort	Self	NY	US	Personal Injury
70	Heisler, Carol	Spouse	NY	US	Loss of Consortium
71	Held, Catherine	Self	NY	US	Personal Injury
72	Henderson, Dorrance	Self	NY	US	Personal Injury
73	Hendricks, Amelia	Self	NY	US	Personal Injury
74	Henry, Armando R.	Self	NY	US	Personal Injury
75	Henry, Glendora	Self	NY	US	Personal Injury
76	Hernandez, Aurea	Self	NY	US	Personal Injury
77	Hernandez, Felix Jr.	Self	NY	US	Personal Injury
78	Hernandez, Anna	Spouse	NY	IS	Loss of Consortium
79	Hertz, Judith	Self	NY	US	Personal Injury
80	Hinphy, Brian	Self	NY	US	Personal Injury
81	Hinphy, Catherine	Spouse	NY	US	Loss of Consortium
82	Hirsch, Marcia	Self	NY	US	Personal Injury
83	Hirsch, William	Self	NY	US	Personal Injury
84	Howard, Lawrence	Self	NY	US	Personal Injury
85	Huggins, Anthony C.	Self	NY	US	Personal Injury
86	Ingram, James	Self	NJ	US	Personal Injury
87	Ingram, Dorothy	Spouse	NJ	US	Loss of Consortium
88	Inguano, Concepcion Y.	Self	NY	US	Personal Injury
89	Jackson, Arwilda	Self	NY	US	Personal Injury

90	Jedrezyk, Michael	Self	NY	US	Personsal Injury
91	Jeffrey, Karen	Self	NY	US	Personal Injury
92	Johnson, Michael	Self	FL	US	Personal Injury
93	Johnson, Sybil	Self	NY	US	Personal Injury
94	Joseph, Noel	Self	NY	US	Personal Injury
95	Kaider, Matthew Jr.	Self	NY	US	Personal Injury
96	Kelly, Thomas	Self	NY	US	Personal Injury
97	King, Lloyd	Self	NY	US	Personal Injury
98	Kinzelberg, Steven	Self	NY	US	Personal Injury
99	Korzenko, Richard K.	Self	NY	US	Personal Injury
100	Kowalski, Kathyann	Self	NY	US	Personal Injury